

REMARKS

Reconsideration of the application as amended is respectfully requested in view of the comments below. The Examiner's objections and rejections are addressed in substantially the same order as in the referenced office action.

Claims 1-41 are pending in this application. Claims 1, 15, 21, and 28 are independent claims. The remaining claims depend, directly or indirectly, from claims 1, 15, 21, and 28.

Claim 28 has been amended to specify that a geoscientist initiates the portfolio data. Support for this is found at **page 29 li 22-24**.

New claims 42 - 44 have been added that limit access to the database to a single user at a time. Support for this amendment is found at **page 27 line 25 – page 28 line 1**.

No new matter has been added by the amendments. Reconsideration of the application as amended is respectfully requested in view of the comments below.

REJECTIONS UNDER 35 USC § 103

Claims 1-7 and 15-27 and 41 stand rejected under 35 USC § 103 over *Cwenar* (US5893079) in view of *Armitage* (US5475589) and further in view of *Bentley et al.* (US6341291). Claims 1 and 15 are independent claims.

As the Examiner has noted, *Cwenar* teaches many of the elements of independent claim 1. However, applicant respectfully disagrees with the Examiner's assertion that the teaching of *Cwenar* include "the management system further updating data relating to a property in real time environment based on input from multiple users using different programs for different tasks."

The Examiner has cited the Abstract, summary, **col. 2 lines 41-56, col 4 lines 4-29, col 5 lines 57-60 and col. 6 lines 36-44** for such a teaching.

Applicant respectfully disagrees with this assertion. There is no use of the term "real-time" in the **Abstract**.

What is disclosed relating to "real-time" has nothing to do with updating a database. For example, **col. 2 lines 41-56** teaches:

"compliance means which serves to on a real-time basis **compare** a proposed trade with a group of rules which can be prioritized with respect to legal or business standards **and provide instructions regarding stopping, delaying or proceeding with the proposed trade with appropriate records being kept.** The compliance check may be performed on both the external user interface and the server employing rules stored in the main database. It also may be employed on a delayed time basis, as in batch processing." (emphasis added)

There is no teaching or suggestion of updating the database in real-time as specified in claim 1.

A similar statement about real-time compliance is made at **col. 2 line 66 –col 3 line 2.**

The next portion cited by the Examiner (**col. 4 lines 4-29**) is also related to real-time checking for **compliance, not to real-time updating.** See specifically **col. 4 lines 22-29.**

Next, we note that **col. 5 lines 57-60** relates to simultaneous access to the database by the users, and **not to real-time updating.**

The portion cited by the Examiner (**col. 6 lines 36-44**) **makes no mention or suggestion of real-time updating.**

Additional teaching about real-time **compliance** is found in **col. 13 lines 24-17.**

The other references to real-time in *Cwenar* all relate to real-time communication. See **col. 10 48-51** and **col. 10 lines 57-63.**

In short, there is no teaching or suggestion in *Cwenar* of real-time updating of the database.

In order for a claimed invention to be unpatentable under 35 USC § 103, two requirements must be met. First, the combination of the references must include all the limitations of the claimed invention. If this condition is met, then there must be a

teaching or suggestion in the references to combine them to come up with the claimed invention.

The first requirement is clearly not met here as neither *Cwenar* nor *Armitage* teaches the updating of a database in real-time. Accordingly, applicant respectfully submits that claim 1 and claims 2 -14 and 41 that depend upon claim 1 are patentable under 35 USC § 103 over *Cwenar* in view of *Armitage*.

We note specifically with respect to new claim 42 that, in *Cwenar*, updating of the data is generally limited to the external data sources **10, 12, 14, 16**. The only possible exception to this is suggested at **col., 8 lines 35-41**, and **there is no mention therein of limiting the updating to a single user at a time**. Hence claim 42 is clearly patentable under 35 USC § 103 over *Cwenar* in view of *Armitage*.

Independent claims 15 and 21 include the substantive limitations of claim 1 discussed above. Accordingly, claims 15, 21 and claims 16-20 and 22-27 that depend upon either claim 15 or claim 21 are also patentable under 35 USC § 103 over *Cwenar* in view of *Armitage* for the same reasons that claim 1 is patentable under 35 USC § 103 over *Cwenar* in view of *Armitage*.

We note specifically with respect to new claims 43 and 44 that in *Cwenar* updating of the data is generally limited to the external data sources **10, 12, 14, 16**. The only possible exception to this is suggested at **col., 8 lines 35-41**, and **there is no**

mention therein of limiting the updating to a single user at a time. Hence claims 43 and 44 are clearly patentable under 35 USC § 103 over *Cwenar* in view of *Armitage*.

Claims 8-10 and 11 stand rejected under 35 USC § 103 over *Cwenar* in view of *Armitage* and further in view of *Dembo* (US5148365). There is no teaching in *Dembo* of the particular element of claim 1 discussed above. Accordingly, claims 8-10 and 11 are patentable under 35 USC § 103 over *Cwenar* in view of *Armitage* for the same reasons that claim 1 is patentable under 35 USC § 103 over *Cwenar* in view of *Armitage*.

Claim 12 stand rejected under 35 USC § 103 (a) over *Cwenar* in view of *Armitage* and further in view of *O'Shaughnessy* (US6484151). The patentability of claim 12 has been addressed above.

Claims 13-14 stand rejected under 35 USC § 103 over *Cwenar* in view of *Armitage* and further in view of *Lu et al.* (US 6373489). The patentability of claims 14-14 has been addressed above.

Claims 28-40 stand rejected under 35 USC § 103 over *Bentley et al.* (US6341291) in view of *Armitage*.

Claim 28 as amended includes initiation of portfolio data by a geoscientist. There is no teaching or suggestion in either *Bentley* or *Armitage* of initiation of portfolio data by a geoscientist. As noted above, in order to sustain a rejection under 35 USC § 103, the

prior art must, when combined, contain all the limitations of the claimed invention.

Accordingly, claims 28 and claims 29-40 that depend upon claim 28 are patentable under 35 USC §103 over *Bentley* in view of *Armitage*.

A request for extension of time to respond to the office action is being filed concurrently with this document. A check in the amount of \$270 is enclosed for the extension of time and for the addition of three dependent claims. The Commissioner is authorized to charge any deficiencies and credit any surplus to deposit account **13-0010** (CON-1028).

Respectfully submitted,



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